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November 9, 2023

MEMO ENDORSED

Via ECF Only

The Honorable Barbara C. Moses
United States Magistrate Judge for the
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Hiciano, et. al. v. Joyeria Elizabeth I, Corp., et. al.*
Docket No.: 21-cv-04508 (VEC)


Dear Judge Moses:

As the Court knows, we represent the named-Plaintiff and the five opt-in Plaintiffs in the above-referenced action. On October 12, 2023, the Court ordered the parties to submit their settlement for approval by November 13, 2023. The parties now write to respectfully request an extension of this deadline to December 13, 2023. The reason for this request is that the parties have been unable to finalize a mutually-acceptable form of settlement agreement.

Plaintiffs originally submitted a draft settlement agreement for Defendants' review on October 10, 2023. Defendants then presented a revised version on October 24, 2023, to which they had added a confidentiality and non-disparagement clause – counter to the Court's order of October 12, 2023. Plaintiffs then revised said clause to conform to the Court's Order and submitted these revisions to Defendants on October 27, 2023. At Defendants' request, Plaintiffs re-sent these revisions on November 8, 2023. To date, Plaintiffs have not received either further revisions or confirmation that the revised language is acceptable to the Defendants. Furthermore, three of the six Plaintiffs are not proficient in English and will require a Spanish translation of the final settlement agreement before signing, which will further delay the process. Thus, an additional thirty days will likely be necessary in order to submit a fully executed settlement agreement to the Court pursuant to the Court's Order of October 12, 2023.

This is the parties' first request to extend this deadline. Granting this request will not affect any other deadlines. We thank the Court for its attention to this matter.

Respectfully submitted,


Clela A. Errington
For the Firm

C: Defendants' Counsel (*via* ECF)

Application GRANTED. No later than December 13, 2023, the parties shall submit the materials required by the Court's October 12, 2023 Order. (Dkt. 68.) SO ORDERED.



Barbara Moses
United States Magistrate Judge
November 13, 2023